



Atty. Dkt. No. 042049-0105 DWW

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Andre Jestin et al.

Title: CIRCOVIRUS SEQUENCES ASSOCIATED WITH PIGLET WEIGHT LOSS DISEASE (PWD)

Appl. No.: 10/718,264

Filing Date: November 21, 2003

Examiner: To Be Assigned

Art Unit: 1648

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR § 1.56**

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the Examiner's attention the documents on the attached forms PTO/SB/08. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

This application is a continuation of U.S. Application No. 09/514,245 filed February 28, 2000, now U.S. Pat. No. 6,703,023, which application is a continuation in part of PCT Application No. PCT/FR98/02634, filed December 4, 1998.

A. Documents

Copies of the listed documents B1 to B88 are attached. The documents B1 was submitted in the parent case, U.S. Application No. 09/514,245, now U.S. Pat. No. 6,703,023, and copies of those documents are not submitted here.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

B. Non-English Language Documents

French Patent Application Publication No. 2 422 956 (11/09/1979) (B7): Attached with this filing is a Derwent Abstract of this document (B86). An English language counterpart to this application is U.S. Patent No. 5,605,800.

French Patent Application Publication No. 2 518 755 (06/24/1983) (B8): Attached with this filing is a Derwent Abstract of this document (B87). An English language counterpart to this application is U.S. Patent No. 5,988,825.

German Patent Application Publication No. 10044648 (3/23/2002) (B13): Attached with this filing is a Derwent Abstract of this document (B88). An English language counterpart to this application is U.S. Patent No. 6,573,081.

C. Conclusion

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents are not "prior art" under United States law, then Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

The Examiner is invited to contact the undersigned if any questions may be resolved by a telephone conference.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date May 14, 2004

FOLEY & LARDNER LLP
Customer Number: 22428

Telephone: (202) 672-5569
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By

Amy M. Roulier, Reg # 47,033
for
Stephen B. Maebius
Attorney for Applicants
Registration No. 35,264

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INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

May 14, 2004

(use as many sheets as necessary)

Sheet

1

of 6

Application Number

10/718,264

Filing Date

11/21/2003

First Named Inventor

André JESTIN

Group Art Unit

1648

Examiner Name

To Be Assigned

Attorney Docket Number

042049-0105

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|----------------------|-----------------------------------|---|--|---|
| | | Number | Kind Code ² (if known) | | | |
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|--------------------|-----------------------|-------------------------|---------------------|-----------------------------------|--|--|---|----------------|
| | | Office ³ | Number ⁴ | Kind Code ⁵ (if known) | | | | |
| B7. | FR 2 422 956 | | | | Institut Pasteur | 11-09-1979 | | |
| B8. | FR 2 518 755 | | | | Institut Pasteur | 06-24-1983 | | |
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| B10. | WO 94/27238 | | | | MDS Health Group Ltd. | 11-24-1994 | | |
| B11. | WO 95/11307 | | | | Institut Pasteur | 04-27-1995 | | |
| B12. | WO 00/77188 | | | | Merial | 12-21-2000 | | |
| B13. | DE 10044648 | | | | Aventis Behring GmbH | 03-21-2002 | | |
| B14. | WO 01/96377 | | | | Purdue Research Foundation | 12-20-2001 | | |
| B15. | WO 02/102999 | | | | Univ. Melbourne | 12-27-2002 | | |

NON PATENT LITERATURE DOCUMENTS

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| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | | | | | | T ⁶ |
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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | Application Number | 10/718,264 |
| May 14, 2004 | | | | Filing Date | 11/21/2003 |
| (use as many sheets as necessary) | | | | First Named Inventor | André JESTIN |
| Sheet | 2 | of | 6 | Group Art Unit | 1648 |
| | | | | Examiner Name | To Be Assigned |
| | | | | Attorney Docket Number | 042049-0105 |

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